

INFORMATION PAPER

AETV-JA-AL
1 December 2005

SUBJECT: Free Attendance at Professional Conferences Hosted by Private Organizations (POs)

1. **Purpose.** To understand the potential ethical issues associated with attending these conferences.

2. **Bottom Line.** Every year senior leaders attend professional conferences sponsored by private organizations like AUSA and AAAA. While such conferences offer professional development and information sharing opportunities, these seemingly benign invitations can raise ethics issues that, if neglected, can jeopardize a senior leader's career. To help avoid problems, Army leaders must consult with their ethics counselors both before and after they attend one of these conferences.

3. **Discussion.** There are two ways Army leaders can accept free attendance at the PO conference.

a. The first is where they will participate in an official capacity, as a speaker or panel participant, to present information on behalf of the Army, provided the offer comes from the event's sponsor. This acceptance is limited to free attendance on the day of the official presentation, and permits the attendee to accept waiver of the conference fee, and the provision of lodging, food, entertainment, and materials furnished to all attendees as an integral part of the event.

b. Army leaders can also accept travel expenses from the PO under 31 U.S.C. 1353 even if they are not participating as a speaker or panel participant. This rule allows Army leaders to accept free attendance at a multi-day conference, provided:

1) No solicitation - the offer of travel expenses (in-kind and by reimbursement) must be unsolicited and voluntary on the part of the PO offeror.

2) Only official travel - this is considered a gift to the Army. Attendees may not accept personal benefits or gratuities.

3) Only for conferences/seminars - this applies only to attendance at conferences/seminars that take place away from the employee's duty station. It cannot be used to accept travel to perform functions essential to the Army's mission or to attend sales presentations. Put another way, the Army must pay the travel expenses for any day the attendee performs official business not directly related to the traveler's attendance at the PO conference.

3. Reimbursement may not be claimed on a travel voucher for expenses that have been provided under this statute. Instead, attendees must report these expenses to their Ethics Counselors as a "Gift of Travel."

4. A practical guideline is attached for easy reference. POC is Administrative and Fiscal Law Section, OSJA (LTC Reid), 370-5852.

COL MICKEY MILLER/370-5844
SJA

Practical Tips or Requirements.

If you want to attend a professional conference being sponsored by a private organization, do the following:

1) Make sure your Ethics Counselor and the travel approval authority get a complete and accurate schedule of events for each day you will attend the conference. If you will perform other official Army business during the trip, make sure the Ethics counselor and travel approval authority know about those activities and when they will occur.

2) Ensure your Ethics Counselor knows the value of all travel expenses you will receive *before you depart for the conference*. This includes the value of the room, meals, entertainment, conference fees and materials, etc.

3) If you show up at early for the conference for personal convenience or to perform official Army business, then you cannot receive travel benefits (lodging, food, entertainment, etc.) from the PO for that period. For example, if the conference starts on Monday, but you show up on the preceding Saturday so you can play in the conference golf tournament, you cannot claim either TDY from the government or accept a free room from the PO. If you show up on Saturday so you can conduct official Army business, e.g., meeting with other Army officials for official Army business, then you cannot accept any travel benefits (e.g., lodging) from the PO for that day.

4) If you take your spouse to the conference and he or she has no official reason for being there, then you may be required to pay for any travel benefits they receive during the conference (e.g., food or entertainment expenses). Report these benefits to your Ethics Counselor before you travel and then keep track of these expenses because you must report them to your Ethics Counselor when you return.

5) If you receive an unexpected travel benefit from the PO, you should either decline it or be prepared to pay for it, because if you accept it you may have to pay for it after you return and report the benefit to your Ethics Counselor. Remember, you never have to accept a gift from a PO.

6) When you return from the conference, inform your Ethics Counselor of all travel benefits received from the PO during the trip. If you received unexpected travel benefits, like additional free room nights, or upgraded luxury rooms, or food and entertainment benefits, your Ethics Counselor must know about these benefits so he or she can properly advise you. If your travel benefits exceed \$305.00, the Ethics Counselor must file a report with the Army Standards of Conduct Office. Again, upon your return from the conference you may have to pay for benefits you accepted that weren't Ok'd by your Ethics Counselor before the trip.